

REMARKS

The office action of March 13, 2008, has been carefully reviewed and these remarks are responsive thereto. Claims 1-4, 7-19, 27 and 30-43 have been amended. Claims 49 and 50 have been added. No new matter has been added. Reconsideration and allowance of the instant application are respectfully requested.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-21, 27, 29-43 and 46-48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Herz *et al.* (U.S. Patent Pub. No. 2001/0014868, “Herz”) in view of Birdwell *et al.* (U.S. Patent No. 6,108,706, “Birdwell”). Applicants traverse this rejection.

Claim 1 recites, *inter alia*, “receiving, via a second network, unsolicited information from a computer network, wherein the unsolicited information contains an identifier identifying further information on the computer network..., wherein the second network is a unidirectional network; [and] requesting, via a first network different from the second network, the identified further information corresponding to the identifier from the computer network.” Neither Herz nor Birdwell, either separately or in combination, teaches or suggests such features. At best, Birdwell describes a system whereby announcements may be made available to clients over a broadcast network or over a second link other than the broadcast network. Abstract. Additionally, Birdwell states that a client may tune a broadcast receiver to the broadcast locator and launches a receiving application to receive the transmission. *Id.* Nonetheless, nowhere does Birdwell teach or suggest that the broadcast transmission (i.e., the alleged identified further information) is requested over a network different from the broadcast network (i.e., the alleged second network). As Birdwell states, the client tunes to the broadcast transmission using a *broadcast* receiver. Col. 4, ll. 25-28 (stating that a tuner 56 tunes to frequencies of the broadcast network 30). Even assuming the secondary link is a unidirectional network, Birdwell still does not teach or suggest requesting identified further information over the secondary link. As noted above, the client tunes to a frequency of the *broadcast network*. Herz does not cure these deficiencies of Birdwell. Thus, notwithstanding whether Herz and Birdwell are properly combinable, the combination would have resulted in the features recited in claim 1. Accordingly, claim 1 is allowable for at least these reasons.

Claims 9 and 19 recite features similar to those discussed above with respect to claim 1 and are thus allowable for at least the same reasons as claim 1.

Claims 2-8, 10-18, 20, 21, 27, 29-43 and 46-48 are dependent on claims 1, 9 and 19, respectively, and are thus allowable for at least the same reasons as their respective base claims and further in view of the novel and non-obvious features recited therein. For example, claims 7, 15, 30, 38 and 39 relate to a second network including a DVB-T network. Contrary to the assertions of the Office Action, Birdwell does not teach or suggest a DVB-T network. While Birdwell describes a unidirectional broadcast network, there is no mention of DVB-T networks, specifically. Accordingly, claims 7, 15, 30, 38 and 39 are allowable for this additional reason.

Additionally, claim 3 recites, *inter alia*, “wherein the first network is a bi-directional telecommunications network.” Again, Birdwell does not teach or suggest receiving unsolicited information over a unidirectional network and requesting information identified in the unsolicited information over a bidirectional network. The passages identified by the Office Action at p. 7 merely relate to receiving announcements over the bi-directional network, i.e., not the broadcast transmission identified in the announcements (i.e., the alleged further information). Accordingly, claim 3 is allowable for these additional reasons.

Moreover, Applicants respectfully disagree with the asserted combination of Herz and Birdwell. Specifically, the Office Action asserts, at p. 3, that it would have been obvious to one of ordinary skill in the art to incorporate requesting information based on a received identifier as allegedly described in Birdwell in the method of receiving unsolicited information where the unsolicited information is based upon a user profile as allegedly described in Herz. However, Birdwell is directed to tuning to broadcast transmissions while Herz is related to determining prices and promotions unrelated to broadcast transmissions. Indeed, nowhere does Herz teach or suggest a need for broadcast transmissions much less tuning to broadcast transmissions. Similarly, nowhere does Birdwell teach or suggest a need for automatically determining customized prices and promotions. Accordingly, Applicants submit that there would have been no motivation to combine the references in the asserted manner and that the asserted combination is merely an exercise of impermissible hindsight reconstruction using Applicants’ application as a blueprint. Accordingly, claims 1-21, 27, 29-43 and 46-48 are allowable for this additional reason.

New Claims

Claims 49 and 50 have been added. While claims 49 and 50 have not been rejected, the following remarks are provided in the interest of expediting prosecution.

Claim 49 recites, *inter alia*, “receiving, via a unidirectional broadcast network, unsolicited information from a computer network, wherein the unsolicited information includes a first page of a network site and an identifier identifying one or more second pages of the network site...; [and] requesting, via a bi-directional network different from the unidirectional broadcast network, at least one of the identified one or more second pages.” Nowhere does either Herz or Birdwell, either separately or in combination, teach or suggest such features. For example, as discussed above, neither Birdwell nor Herz teach or suggest receiving unsolicited information over a unidirectional broadcast network and requesting further information identified in the unsolicited information via a bi-directional network different from the unidirectional broadcast network. Additionally, neither Herz nor Birdwell teach or suggest the unsolicited information including a first page of a network site and an identifier identifying one or more second pages of the network site and requesting at least one of the one or more second pages of the network site. At best, Birdwell relates to tuning to broadcast transmissions and does not teach or suggest pages of a network site. Accordingly, claim 49 is allowable for at least these reasons. Claim 50 is dependent on claim 49 and is thus allowable for at least the same reasons as claim 49.

CONCLUSION

All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below. If any additional required fees are or if an overpayment has been made the Commissioner is authorized to charge or credit Deposit Account No. 19-0733. Applicants look forward to passage to issue of the present application at the earliest convenience of the Office.

Respectfully submitted,
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